



TEXAS COMMISSION FOR THE DEAF AND HARD OF HEARING

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October 14, 2002

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission (FCC)
445 12th Street SW, TW-A325
Washington, DC 20554

Re: Docket # 02-311- Biennial Review 2002

Dear Ms. Dortch:

My name is David Myers. I serve as Executive Director of the Texas Commission for the Deaf and Hard of Hearing (TCDHH). The primary function of our state agency is services to and the general welfare of Texas citizens who are deaf or hard of hearing. As such, TCDHH is well positioned to observe and evaluate the impact of Telecommunications Relay Services (TRS) on our service population.

Andy Rooney put it very well on *Sixty Minutes* last night (Sunday) when he stated in so many words that his life depends on his telephone. Indeed, Andy Rooney was speaking for everyone including deaf and hard of hearing TRS users when he spoke of being dependent on the telephone. During the past ten years, TRS has effected a degree of independence and self-reliance never before enjoyed by persons who are deaf or hard of hearing. Had it not been for the standards and/or regulations set for TRS by the Federal Communications Commission (FCC) it is highly doubtful that the current level and quality of TRS service would exist today. The FCC is encouraged to retain current rules and standards for TRS service delivery.

The value of the complaint mechanism was demonstrated during the very early days of TRS when individual users had to resort to litigation to resolve access and billing issues. Although deaf persons may not make a frequent practice of putting their thoughts in writing, it is nevertheless important that the opportunity to address service deficiencies and other grievances be available while TRS as an industry matures and before custom and practice become so ingrained as to be immovable.

The FCC is encouraged to not only retain current rules to "Part 6, Access to Telecommunications Services," but to increase monitoring and enforcement of rules. Individual consumers should not have to forever petition for new customer premise equipment to be retrofitted after development and marketing in order to meet special and varying needs of consumers.

Currently, one of the greatest challenges to persons who are deaf or hard of hearing using the public telephone system is voice mail and interactive menu services. Due to the time lag in using relay services, multiple calls are often required in order to negotiate through a maze of interactive options. A task needing a couple minutes by a hearing person can easily require half

an hour by a TRS user. And the number and complexity of interactive menu usage is growing. This disparity needs to be addressed by regulation.

Per Part 68, Connection of Terminal Equipment to the Telephone Network, technology continues to move forward while consumers who are deaf or hard of hearing continue to struggle with issues of accessibility and compatibility with the newer devices such as cell phones and wireless instruments. This is a robust area of telecommunications in which the FCC should take aggressive enforcement action of current rules and also strengthen current deficiencies.

The FCC is to be commended for the leadership provided to date in making public telecommunications a level playing field for Americans who are deaf or hard of hearing, and is encouraged to continue and expand this role to assure that we continue to enjoy the powerful commodity that has been opened to us.

Sincerely

David W. Myers
Executive Director